

**IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES**

CASE NO.: CR-07-00064-002

DATE: February 11, 2008

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HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: Sara Weber

Court Recorder: Virginia T. Kilgore  
Carmen B. Santos

Courtroom Deputy: Carmen B. Santos  
Virginia T. Kilgore

Electronically Recorded: 9:48:53 - 10:34:52  
10:52:10 - 11:59:35  
1:27:13 - 2:27:40  
2:52:35 - 3:25:14

CSO: J. Lizama / N. Edrosa

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**APPEARANCES:**

Defendant: In Hyuk Kim aka Dominic Kim

Attorney: Peter C. Perez

☒ Present ☐ Custody ☒ Bond ☐ P.R.

☐ Present ☒ Retained ☐ FPD ☐ CJA

U.S. Attorney: Karon Johnson

U.S. Agent: Richard Flores, Immigration & Border Protection

U.S. Probation: None Present

U.S. Marshal: V. Roman

Interpreter:

Language:

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**PROCEEDINGS: Motion to Dismiss**

**Motion to Suppress Statement for Miranda Violations**

**Motion to Suppress Statement by co-defendant**

**Motion in Limine**

**Pretrial Conference**

- Witnesses sworn and examined; Exhibits marked and admitted - see attached Exhibit and Witness List, AO Form 187 (and 187a, when applicable).
- Proceedings continued to: February 14, 2008 at 9:00 A.M.

NOTES:

# UNITED STATES DISTRICT COURT

DISTRICT OF

GUAM

United States of America

## EXHIBIT AND WITNESS LIST

V.

In Hyuk Kim aka Dominic Kim

Case Number: **CR-07-00064-002**

| PRESIDING JUDGE<br><b>Judge Frances M. Tydingco-Gatewood</b> |          |          |              |                 |               | PLAINTIFF'S ATTORNEY<br><b>Karon Johnson</b>   | DEFENDANT'S ATTORNEY<br><b>Peter C. Perez</b>              |
|--|----------|----------|--------------|-----------------|---------------|--|--|
| HEARING DATE (S)<br>February 11, 2008                        |          |          |              |                 |               | COURT RECORDER<br>Virginia T. Kilgore / Carmen B. Santos   | COURTROOM DEPUTY<br>Carmen B. Santos / Virginia T. Kilgore |
| JOINT NO.  | PLTF NO. | DEF. NO. | DATE OFFERED | DATE IDENTIFIED | DATE ADMITTED | DESCRIPTION OF EXHIBITS* AND WITNESSES   |  |
|  |          |          |              |                 |               | <b>John Duenas, called and sworn</b>   |  |
|  |          |          |              |                 |               | <b>9:50:05 DX by Ms. Johnson</b>   |  |
|  | 1        |          | 2/11/08      | 2/11/08         | 2/11/08       | Call to Bosley # 1(dated 1/02/2006) - Objection / Overruled  |  |
|  | 2        |          | 2/11/08      | 2/11/08         | 2/11/08       | Call to Bosley (dated 11/06/2006) - Objection / Overruled  |  |
|  | 3        |          | 2/11/08      | 2/11/08         | 2/11/08       | Meeting at King #3 (Bosley) (dated 11/06/2006) - Objection / Overruled   |  |
|  | 4        |          | 2/11/08      | 2/11/08         | 2/11/08       | Meeting at King's with Bosley # 6 (dated 11/18/2006 )- Objection / Overruled   |  |
|  | 5        |          | 2/11/08      | 2/11/08         | 2/11/08       | Undercover Meeting between HN3960 and In Hyuck Kim also known as Dominic at the Harmon King's Restaurang (dated 1/16/07 )- Objection / Overruled   |  |
|  | 6        |          | 2/11/08      | 2/11/08         | 2/11/08       | Call to Bosley by HN3960 (dated 2/07/07) - Objection / Overruled   |  |
|  | 7        |          | 2/11/08      | 2/11/08         | 2/11/08       | Call to Dominic by HN3960 (dated 2/07/07) - Objection / Overruled  |  |
|  | 8        |          | 2/11/08      | 2/11/08         | 2/11/08       | Statement of Rights  |  |
|  | 10       |          | 2/11/08      | 2/11/08         | 2/11/08       | Report of No. 005  |  |
|  | 9        |          | 2/11/08      | 2/11/08         | 2/11/08       | Affidavit signed by In Hyuk Kim on 7/31/2007   |  |
|  |          |          |              |                 |               | <b>10:52:23 CX by Mr. Perez</b>  |  |
|  |          | A        |              | 2/11/08         |               | 4/20/07 Investigation Report re Ms. An (to establish time line)  |  |
|  | 3        |          |              |                 |               | Meeting at King #3 (Bosley) (dated 11/06/2006) - Objection / Overruled   |  |
|  | 5        |          |              | 2/11/08         | 2/11/08       | Undercover Meeting between HN3960 and In Hyuck Kim also known as Dominic at the Harmon King's Restaurang (dated 1/16/07 )- Objection / Overruled   |  |
|  |          |          |              |                 |               | <b>1:27:13 Court resumes session</b>   |  |
|  |          |          |              |                 |               | <b>1:27:36 Continued CX of Agent John Duenas by Mr. Perez</b>  |  |
|  | 5        |          |              | 2/11/08         | 2/11/08       | Undercover Meeting between HN3960 and In Hyuck Kim also known as Dominic at the Harmon King's Restaurang (dated 1/16/07 ) Objection by Ms. Johnson to question regarding website on page 2 of exhibit 5 - Sustained. |  |
|  |          | B        |              | 2/11/08         |               | Declaration of In Hyuk Kim aka Dominic   |  |

